

PATENT

Application # 10/780,037

Attorney Docket # 1057-002

REMARKS

Examiner Miller is respectfully thanked for:

1. the consideration provided to this application;
2. determining each of claims 11-17, 19, 22, 34, 35, 37-40, and 49 allowable;
3. indicating that each of claims 20 and 42 would be allowable if rewritten or amended to overcome the rejection under 35 U.S.C. 112, second paragraph; and
4. indicating that each of claims 21 and 43-46 would be allowable if rewritten to overcome the rejection under 35 U.S.C. 112, second paragraph and to include all of the limitations of the base claim and any intervening claims.

Reconsideration of this application is respectfully requested in light of the foregoing amendments and the following remarks.

Each of claims 20, 37, and 42 has been amended for at least one reason unrelated to patentability, including at least one of: to explicitly present one or more limitations, phrases, words, terms, and/or elements implicit in the claim as originally written when viewed in light of the specification, thereby not narrowing the scope of the claim; to detect infringement more easily; to enlarge the scope of infringement; to cover different kinds of infringement (direct, indirect, contributory, induced, and/or importation, etc.); to expedite the issuance of a claim of particular current licensing interest; to target the claim to a party currently interested in licensing certain embodiments; to enlarge the royalty base of the claim; to cover a particular product or person in the marketplace; and/or to target the claim to a particular industry.

Claims 11-17 and 19-22, 33-35, 37-40, 42-46, and 48-49 are now pending in this application. Each of claims 11, 20, 37, and 42 are in independent form.

I. The Objections to Claims 37 and 42

Each of claims 37 and 42 was objected to for various informalities. Applicant respectfully submits that any grounds for these objections has been removed, and respectfully request acknowledgment thereof.

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The Indefiniteness Rejections

Each of claims 20, 21, and 42-46 was rejected under 35 U.S.C. 112, second paragraph, as being indefinite. Without admitting that any element is "essential" or that a "gap" existed between the previously claimed elements, these rejections are respectfully traversed as moot in light of the amendments to these claims included herein. Thus, reconsideration and withdrawal of these rejections is respectfully requested.

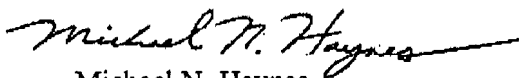
CONCLUSION

It is respectfully submitted that, in view of the foregoing, the application as amended is in clear condition for allowance. Reconsideration, withdrawal of all grounds of rejection, and issuance of a Notice of Allowance are earnestly solicited.

The Office is hereby authorized to charge any additional fees or credit any overpayments under 37 C.F.R. 1.16 or 1.17 to Deposit Account No. 50-2504. The Examiner is invited to contact the undersigned at 434-972-9988 to discuss any matter regarding this application.

Respectfully submitted,

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Date: 26 July 2007

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